



US Army Corps
of Engineers®

SAN FRANCISCO DISTRICT

PUBLIC NOTICE

NUMBER: 400191

DATE: November 29, 2006

RESPONSE REQUIRED BY: December 29, 2006

Regulatory Branch

333 Market Street

San Francisco, CA 94105-2197

PROJECT MANAGER: Paula C. Gill

Phone: (415) 977-8717/E-mail: Paula.C.Gill@usace.army.mil

1. INTRODUCTION:

Subject: The City of San Leandro, Engineering and Transportation Department, through its agent (Gil Conn, CMA, a Division of TranSystems Corporation 510-835-2761) has applied for a Department of the Army permit to construct a boat launch ramp with associated boarding floats, re-design the parking area, and to upgrade marina restroom.

Authority: This application is being processed pursuant to the provisions of Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. Section 403).

2. PROPOSED PROJECT:

Project Purpose: Proposed relocation of the launch ramp facility between the existing fuel dock and Mulford Point Drive would provide the added benefits of more convenient boater access to the fuel dock, Marina office, San Francisco Bay, and provision of facility access for persons with disabilities. In addition, the City proposes to move the existing launch ramp facility from its current location to accommodate potential future development of the 5.5 acre parcel of land on which the launch ramp is currently situated. Proposed development would facilitate economic opportunities, provide employment, and enable greater public use of the Shoreline Recreation Area.

Project Description: Proposed construction of the boat launch ramp within the jurisdiction of the U.S. Army Corps of Engineers (USACE) includes removal of the existing 3,650-square foot (sq ft.) wood pier and associated 26 treated timber support pilings currently at the proposed new launch ramp

site. Approximately 450 cubic yards (cy) of fill, 200 cy. of rip rap, and 270 cy. of cut would be required for the proposed new boat launch ramp construction. Approximately 6,000 sq ft. of cast-in-place and pre-cast concrete launch ramp would be placed along with approximately 150 cy. of rip rap. Approximately 2,280 sq ft. of launch ramp apron would be constructed at the new location (see attached drawings).

Construction of proposed associated 2,500-sq ft. boarding floats would include installation of six concrete support pilings and two concrete abutments. Boarding floats would be designed to meet American's with Disabilities Act (ADA) accessibility guidelines and Department of Boating and Waterways guidelines.

Outside of USACE jurisdiction, the applicant has proposed to re-design of the existing 20,000-sq ft. parking area which would provide approximately 55 boat and trailer parking spaces, one ADA accessible boat and trailer parking space, and two standard ADA accessible parking spaces. In addition, seven new standard parking spaces adjacent to the new launch ramp would be established. The proposed re-designed parking area would include a 1,250-sq ft. boat wash-down area within the existing parking area and 5,000 sf of new boat-ready lane area. Re-design of the parking area would not result in a change to the existing parking area foot print.

Proposed upgrade and remodeling of the marina restroom located within the Marina upland area would include expanding the existing footprint of the restroom located on Mulford Point Drive by 140 ft.

3. COMPLIANCE WITH VARIOUS FEDERAL LAWS:

National Environmental Policy Act of 1969 (NEPA): The Corps will assess the environmental impacts of the proposed action in accordance with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. Section 4371 et. seq.), the Council on Environmental Quality's Regulations (40 C.F.R. Parts 1500-1508), and the Corps' Regulations (33 C.F.R. Part 230 and Part 325, Appendix B). Unless otherwise stated, the Environmental Assessment will describe only the impacts (direct, indirect, and cumulative) resulting from activities within the Corps' jurisdiction. The documents used in the preparation of the Environmental Assessment will be on file with the U.S. Army Corps of Engineers, San Francisco District, Regulatory Branch, 333 Market Street, San Francisco, California 94105-2197.

Endangered Species Act of 1973 (ESA): Section 7 of the Endangered Species Act requires formal consultation with the U.S. Fish and Wildlife Service (FWS) and/or the National Marine Fisheries Service (NMFS) if a Corps permitted project may adversely affect any Federally listed threatened or endangered species or its designated critical habitat. The Corps will initiate consultation with NMFS for potential effects to Federally listed threatened or endangered fish species.

Magnuson-Stevens Fisheries Conservation and Management Act: The Magnuson-Stevens Fishery Conservation and Management Act requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions permitted by the agency that may adversely affect Essential Fish Habitat (EFH). The Corps' initial determination is that the proposed action will not have a substantial adverse impact on EFH or federally managed fisheries in California Waters. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Clean Water Act of 1972 (CWA):

a. Water Quality: Under Section 401 of the Clean Water Act (33 U.S.C. Section 1341), an applicant for a Corps permit must first obtain a State water quality certification before a Corps permit may be issued. The applicant has submitted a copy of their Section 401 Conditional Water Quality Certification and Waiver of Waste Discharge Requirements application. Certification will be obtained from the San Francisco Bay Regional Water Quality Control Board (File No. 2188.07). No Corps permit will be granted until the applicant obtains the required water quality certification. The Corps may assume a waiver of water quality certification if the State fails or refuses to act on a valid request for certification within 60 days after the receipt of a valid request, unless the District Engineer determines a shorter or longer period is reasonable for the State to act.

Those parties concerned with any water quality issue that may be associated with this project should write to the Executive Officer, California Regional Water Quality Control Board, San Francisco Bay Region, 1515 Clay Street, Suite 1400, Oakland, California 94612 by the close of the comment period of this Public Notice.

b. Alternatives: Evaluation of this proposed activity's impact includes application of the guidelines promulgated by the Administrator of the Environmental Protection Agency under Section 404(b)(1) of the Clean Water Act (33 U.S.C. Section 1344(b)). An evaluation has been made by this office under the guidelines and it was determined that the proposed project is water dependent.

Coastal Zone Management Act of 1972 (CZMA): Section 307 of the Coastal Zone Management Act requires the applicant to certify that the proposed project is consistent with the State's Coastal Zone Management Program, if applicable. The proposed project is within the Coastal Zone.

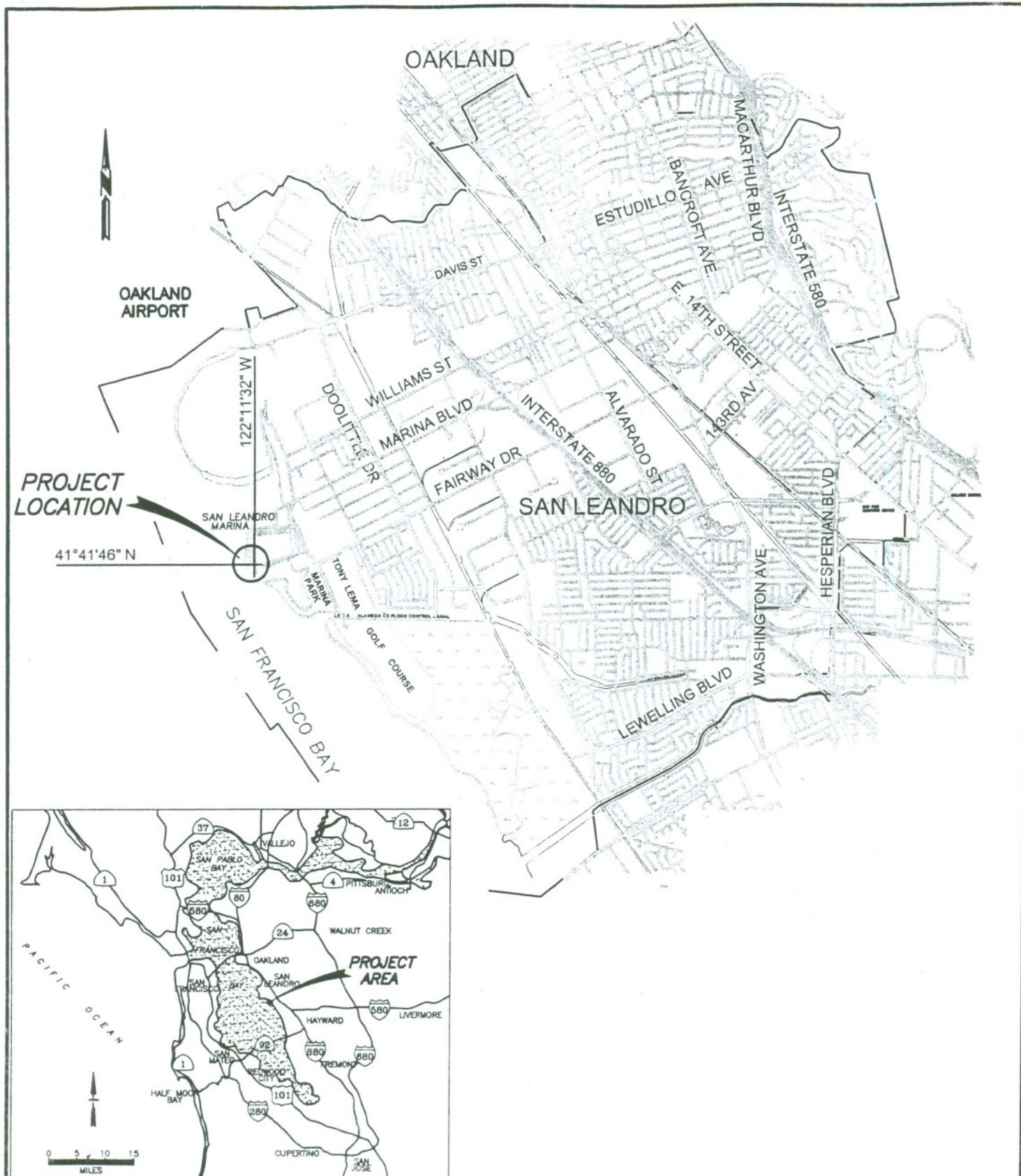
National Historic Preservation Act of 1966 (NHPA): Based on a review of survey data on file with various City, State and Federal agencies, no historic or archeological resources are known to occur in the project vicinity. If unrecorded resources are discovered during construction of the project, operations will be suspended until the Corps completes consultation with the State Historic Preservation Office (SHPO) in accordance with Section 106 of the National Historic Preservation Act.

4. PUBLIC INTEREST EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impact, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits that reasonably may be expected to accrue from the proposed activity must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered, including its cumulative effects. Among those factors are: conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

5. CONSIDERATION OF COMMENTS: The Corps of Engineers is soliciting comments from the public, Federal, State and local agencies and officials, Indian Tribes, and other interested parties in order to consider and evaluate the impacts of this proposed

activity. Any comments received will be considered by the Corps to determine whether to issue, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest in the proposed activity.

6. SUBMISSION OF COMMENTS: Interested parties may submit, in writing, any comments concerning this activity. Comments should include the applicant's name and the number and the date of this Public Notice, and should be forwarded so as to reach this office within the comment period specified on Page 1. Comments should be sent to the U.S. Army Corps of Engineers, San Francisco District, Regulatory Branch, 333 Market Street, San Francisco, California 94105-2197. It is the Corps' policy to forward any such comments that include objections to the applicant for resolution or rebuttal. Any person may also request, in writing, within the comment period of this Public Notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Additional details may be obtained by contacting the applicant whose name and address are indicated in the first paragraph of this Public Notice or by contacting Paula C. Gill of our office at (415) 977-8717 or E-mail: Paula.C.Gill@usace.army.mil. Details on any changes of a minor nature that are made in the final permit action will be provided upon request.



PURPOSE: TO RELOCATE EXISTING
BOAT LAUNCHING FACILITY

DATUM: NGVD

ADJACENT PROPERTY OWNERS:

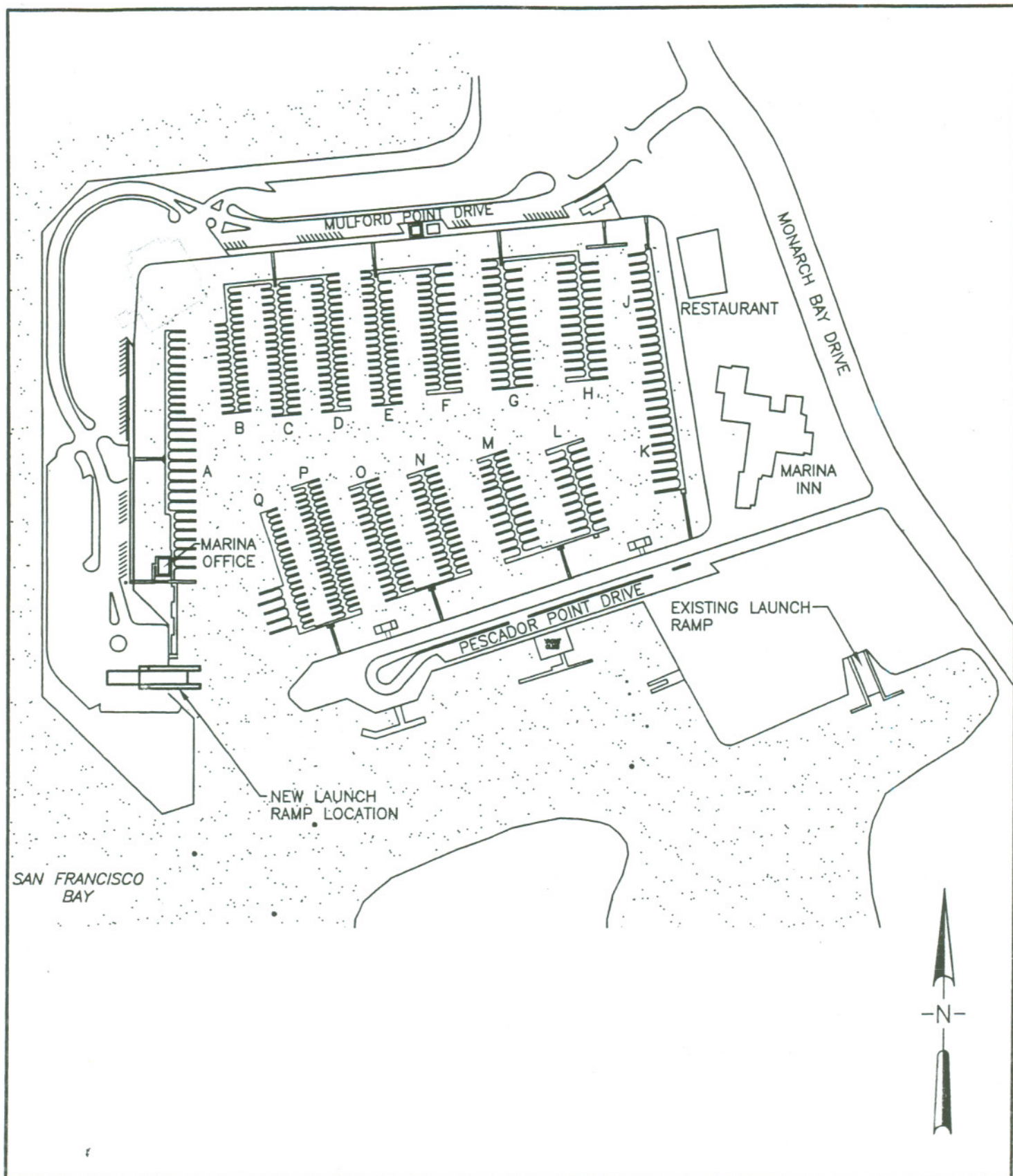
VICINITY MAP

CITY OF SAN LEANDRO
835 EAST 14th STREET
SAN LEANDRO, CA. 94577

IN: SAN LEANDRO MARINA
AT: SAN LEANDRO
COUNTY OF: ALAMEDA
APPLICATION BY: CITY OF SAN LEANDRO

SHEET 1 OF 4

JULY 19, 2006



PURPOSE: TO RELOCATE EXISTING
BOAT LAUNCHING FACILITY

DATUM: NGVD

ADJACENT PROPERTY OWNERS:

LOCATION MAP



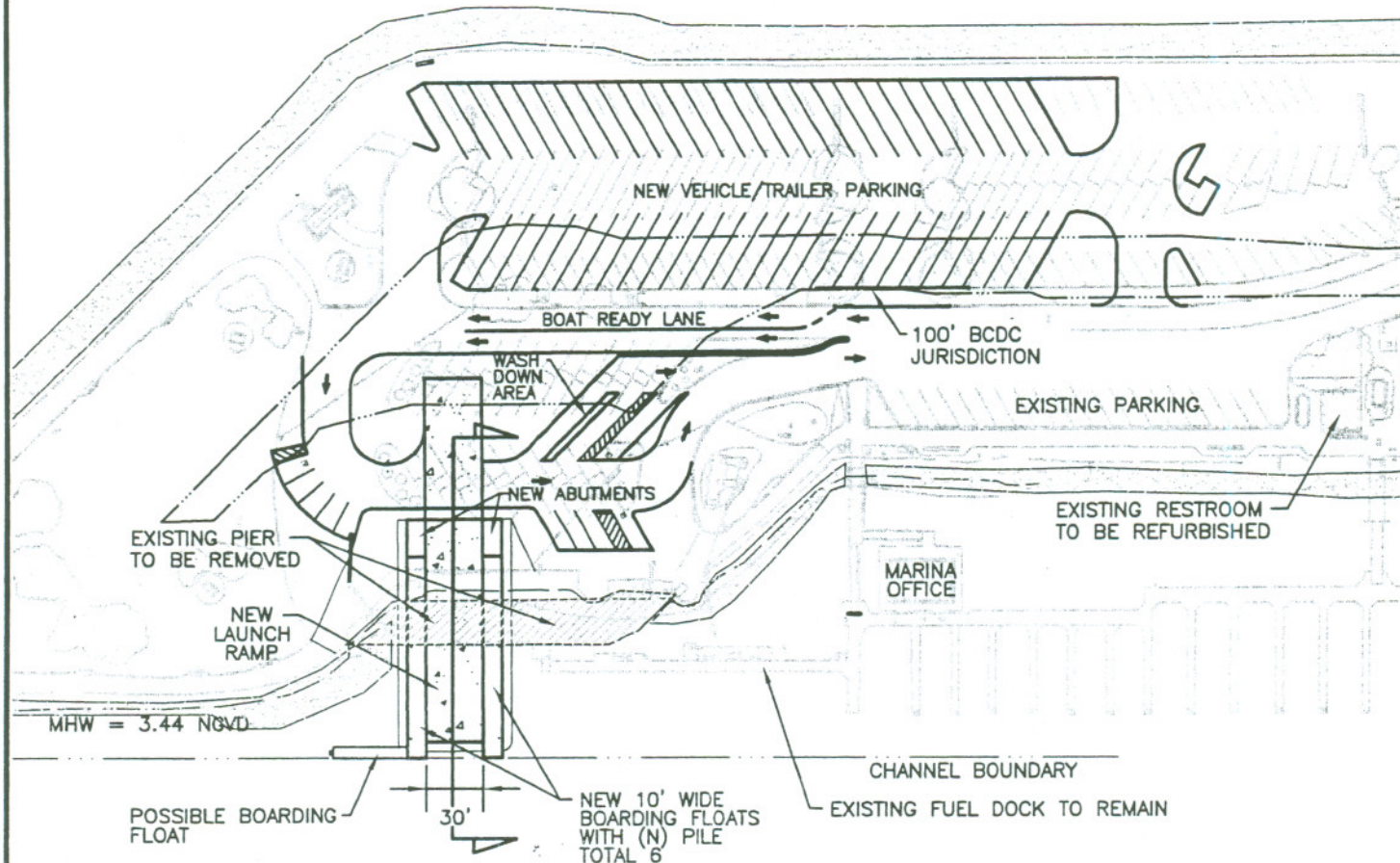
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SHEET 2 OF 4

JULY 19, 2006

San Francisco Bay



NGVD	MLLW	
4.08	7.43	MHHW
3.44	6.79	MHW
0.00	3.35	MSL
-3.35	0.00	MLLW

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PLAN VIEW

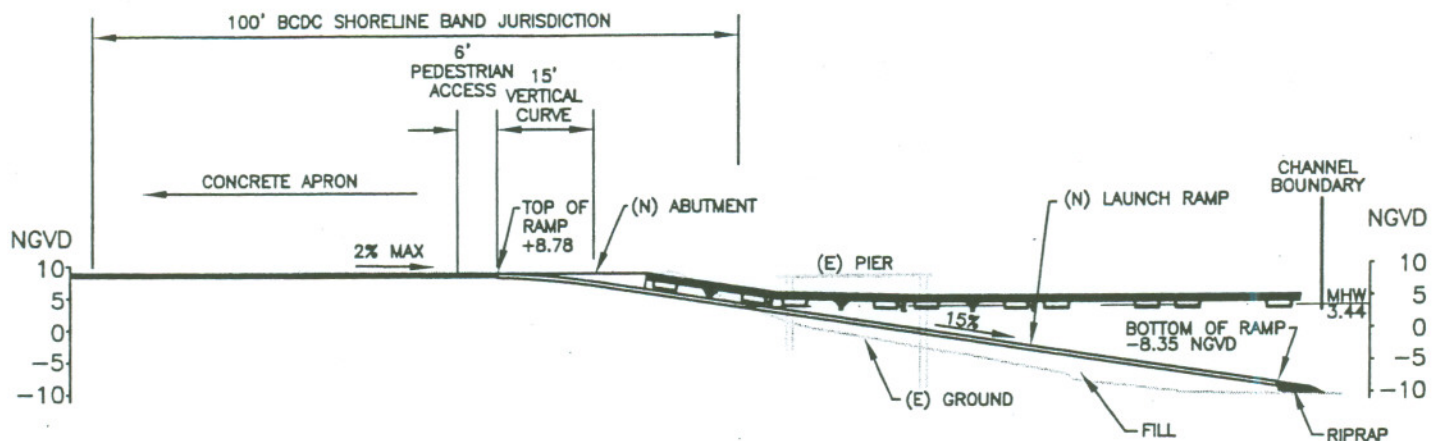


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SHEET 3 OF 4

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PURPOSE: TO RELOCATE EXISTING
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ADJACENT PROPERTY OWNERS:

RAMP SECTION



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SHEET 4 OF 4

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